REMARKS

Applicants have carefully reviewed the Office Action dated May 12, 2005. Applicants have amended Claims 1, 7-8 to more clearly point out the present inventive concept. Reconsideration and favorable action is respectfully requested.

Claim Rejections - 35 U.S.C. 112:

Claim 7 stands rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicant respectfully traverses this rejection.

Claim 7 is set out as follows:

> 7.   (Currently Amended): The method of Claim 6, wherein the predetermined memory access operation of erasing the lock bits requires that each of the lower logical portions of the memory ~~space relative to the variable location~~ space, relative to the variable location, having a relatively lower logical memory address and not containing lock bits be erased before a top most portion of memory space having a relatively higher logical address than the lower logical portions is erased, which top most portion of the memory space contains the lock bits.

This claim is directed toward the operation of erasing the lock bits. This erasing operation requires that each of the lower logical portions of the memory space relative to the variable location, and which do not contain lock bits, are erased before the top-most portion. This top-most portion is where the lock bits (for the user section) are contained. This is clearly supported by the specification. In FIGURE 14, a flow chart, it is set forth that a lock bits can be set to determine whether a memory area can be erased, written to, or read from. Therefore, if the access is of the type that allows erasing of a particular part of the memory, that memory can be erased. All that is required is to first examine the lock bits and, if erasure is allowed and is desired, then erasing of that segment can be performed. However, it is noted that the lock bit can be read, examined, and a determination made that the logical portion of the memory in which the lock bits are stored can be erased. FIGURE 14 sets forth that the lock bits determine this. Now FIGURE 15 sets forth that the user space can be erased. In doing this, the lock byte is read at block 1506 and then a counter is started at page 0. This allows this page to be erased and a counter

incremented up to the user limit. It is noted that the lock byte is stored at the upper-most logical portion of the user portion at the user limit, this being the memory portion 1108 in FIGURE 11. Therefore, that portion of the memory would be reviewed and then the memory erased starting at the lower logical portions and going up to the higher logical portions. Clearly, this is what the claim requires and this is what is supported in the specification as set forth in FIGURE 15. Therefore, Applicant respectfully requests withdrawal of the 35 U.S.C. § 112 rejection with respect to Claim 7.

Claims 1-14 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The Examiner considers them indefinite due to the recitation of the limitation "on one of the logical portions thereof" in line 3. The claims 1 and 8 have been amended to clarify this, and, therefore, Applicant respectfully requests withdrawal of the 35 U.S.C. § 112 with respect to Claims 1-14.

Claim Rejections - 35 U.S.C. § 103

Claims 1-14 stand rejected under 35 U.S.C. 103(a) over the combination of *Hotley* with either of *Zimmer et al.*, *Sharma et al.* or *Wolrich et al.* These rejections under these combinations are respectfully traversed.

The reason for the distinction is that *Hotley* stores the memory locations in an area of the memory that cannot be protected, i.e., the lock byte protects itself. There is a distinction between Claims 1 and 8 in the *Hotley* device. This has been further clarified in the claims indicating that the portion of the memory space protected includes the logical portion in which the lock bits are stored. As such, Applicant believes that *Hotley* does not anticipate or obviate Applicant's present inventive concept as defined by the amended claims. As such, the references *Zimmer et al.*, *Sharma et al.* and *Wolrich et al.* are required to cure this deficiency. These references do not cure this deficiency, as they do not address that portion of the operation. As such, Applicant respectfully requests withdrawal 35 U.S.C. 103(a) rejection with respect to Claim 14 in review of *Hotley*, taken alone, or in combination with *Zimmer et al.*, *Sharma et al.* or *Wolrich et al.*

Applicants have now made an earnest attempt in order to place this case in condition for

allowance. For the reasons stated above, Applicants respectfully request full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/CYGL-24,692 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,
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